

1 Q Okay. At 8:00 p.m.?

2 A From 8:00 p.m. until 11:59, we have West Indian
3 music, calypso, oldies. That is Bernard Liburd, Brother B,
4 the same gentleman that's on Monday evenings from 6:00 to
5 9:00 p.m.

6 Q Okay. So we are up to 12:01 Sunday morning

7 A Sunday morning, we have Bloodstone up until 6:00
8 a.m., Melville Boddie. From 6:00 to 6:30 is a religious
9 program.

10 Q Okay. Who does that?

11 A I'm sorry. Midas is the one at the controls then.
12 Lincoln Drew. He's on Sundays from 6:00 a.m. until 1:59
13 p.m. We have paid religious programming from 6:00 a.m. to
14 8:30. I'm sorry, let **me** back up, from 6:00 to 6:30 and 7:00
15 to 7:30 --

16 Q You missed 6:30 to 7:00.

17 A From 6:30 to 7:00 is another religious program.
18 I'm sorry, 6:00 to 7:00 is a religious program. Two
19 different --

20 (Multiple voices.)

21 Q One program?

22 A Two different -- two half an hour -- yes, two
23 different ones.

24 Q Do you know **who** the --

25 A One is Faith, Hope and Love and --

1 Q Is that a church?

2 A Yes.

3 Q Do they pay the \$50 rate?

4 A Yes, they do.

5 Q How long have they been on the air?

6 A I would venture to say approximately four years.

7 I don't think they've been there longer than that.

8 Q So they came back after you were working at the
9 station again?

10 A Yes, approximately.

11 Q Who negotiated their arrangements?

12 A I think Al Clark was the one that did that when
13 they came up there. They made the inquiry and he took care
14 of that.

15 Q Was your father ever the contact person for that?

16 A No.

17 Q Okay. From 6:30 to 7:00?

18 A That's another religious group, another church,
19 but I can't recall the name because a lot of these churches
20 have -- they're not churches in the sense of an established
21 church like Catholic, Episcopalian or whatever. They have
22 their own name and I can't recall --

23 (Multiple voices.)

24 Q How long has that group --

25 A -- I can't recall the name of the --

1 Q -- been on the air with you in the 6:00 to 7:00
2 time slot on Sunday?

3 A I think they've been on approximately the same
4 length of time as the other one from 6:00 to 6:30.

5 Q Who is the person who --

6 A A lot of the religious programming that we have
7 the people have approached us.

8 Q Okay.

9 A We didn't go out and solicit them.

10 Q Would your father have been the contact person for
11 --

12 A No. A lot of those just came up there. Well,
13 those little ones, the first two that I mentioned, 6:00 to
14 6:30 and 6:30 to 7:00, they approached us. They came up to
15 the station and it would have either been Al Clark or
16 myself.

17 Q Did they pay the \$50 per show?

18 A Yes.

19 Q Okay. After 7:00?

20 A Okay. From 7:00 to 7:30 is free. We just play
21 religious music since it's Sunday. From 7:30 --

22 (Multiple voices.)

23 Q Midas is at the controls then?

24 A Midas, yes. From 7:30 to 8:00 is a Spanish
25 religious program.

1 Q What do they pay for the program?

2 A \$50 for the half an hour.

3 Q Okay. How long have they been on the air?

4 A When I went back up there, I met them there.

5 Q So sometime between the time you left and the time
6 you came back in 1998?

7 A Yes.

8 Q Okay. After 8:00?

9 A From 8:00 to 8:30, we have Word of Life
10 Ministries. They've been with us for approximately 11 years.
11 They pay \$50 for their half an hour.

12 Q Okay.

13 A From 8:30 to 9:00 is music.

14 Q Okay.

15 A From 9:00 to 9:30 or 8:30 to 10:00 is just
16 religious music. Within that time slot, we did have a
17 program from 9:00 to 9:30 but the young lady moved off the
18 island and she's now living up here in the states. So we
19 haven't had any religious program in that slot.

20 Q Okay. When was that?

21 A About eight months, almost a year.

22 Q Okay. Now for 10:00?

23 A From 10:00 to 10:59, we have the Altona Baptist
24 Church. They have been with us from day one, as far as I
25 can recall.

1 Q Okay.

2 A One hundred dollars per program. That has been
3 the case since --

4 (multiple voices)

5 Q Okay.

6 A From 11 to 11:59, we have Kings Hill Luthern
7 Church, K-I-N-G-S H-I-L-L, Kings Hill Luthern Church. It is
8 a female pastor. She has been with us for approximately
9 two, two-and-a-half, almost three years I think. That is a
10 relatively new church. We have a lot of churches.

11 Q Do they pay \$100?

12 A Yes, they do.

13 Q Who set up that arrangement?

14 A That one? I think she had approached my father.

15 Q Okay. Do you know if she still discusses the
16 programming of her show with your father? You don't know,
17 or she does not?

18 A To the best of my knowledge, she does not.

19 Q Okay.

20 A Because all of these programs, once they have
21 gotten the time, they either send the tape to the station or
22 they are up there doing it live. They either send the check
23 in by mail, or they will sign the check and leave it with
24 the person who is working, who is usually Midas. Midas will
25 call me and I will either go and get the check or tell him

1 where to put the monies that he collects

2 Q Okay. After 12:00?

3 A For 12:00? That would be St. John's Anglican
4 Church.

5 Q Okay. What do they pay?

6 A One hundred dollars for the hour.

7 Q Okay. For 1:00 p.m.?

8 A From 1:00 to 1:30 p.m., Holy Ghost Deliverance
9 Ministries. They've been with us approximately two to three
10 years, \$50.

11 Q Who set up that arrangement?

12 A Pastor Estrada, she approached us. Well, she came
13 up to the station to see what time slot she could get when
14 she was interested in having a program.

15 Q Who did she talk to at that time?

16 A She usually deals with Al Clark but I know I did
17 sit in on, you know, one of the meetings because, of course,
18 he had to clear the time with me. I told him what time
19 slots were available and that's how she got that time slot.

20 From 1:30 to 2:00, we just have music. Midas
21 plays music until he leaves. From 2:00 to 5:30 p.m.,
22 Sinclair Williams. That's oldies, goldies, the '50s and
23 '60s through the '80s.

24 Q Is that a DJ, Sinclair Williams?

25 A Yes, Sinclair Williams. He's a former Senator

1 also.

2 Q Okay. How much is he paid?

3 A He worked at the station, \$8 per hour. There are
4 three --

5 (Multiple voices.)

6 Q How long has he been there?

7 A He's been there forever. He's been at the station
8 from 1970.

9 Q Okay.

10 A Working there part-time. A lot of them like to
11 just play music. He's one **of** those that we met there and
12 he's been there with us through thick and thin.

13 Q At 5:30?

14 A From 5:30 to 6:15, Through the Rock Ministries.

15 Q Through the Rock?

16 A Through the Rock Ministries.

17 Q Okay. That is a religious program?

18 A A religious program.

19 Q What do they pay?

20 A For that 45 minutes, they pay \$75.

21 Q How long have they been on the air?

22 A When they originally started, they had a half an
23 hour program for approximately three to four years. I think
24 over the past two years -- it's been approximately two years
25 that they've been doing the additional 15 minutes.

1 Q Okay.

2 A Then it's \$75 for that.

3 Q So three to four years ago did they come to the
4 station --

5 (Multiple voices.)

6 A Yes, they did.

7 Q -- while you were the General Manager there?

8 A Was I there? I think they started just before I
9 went up there. Because when I got there they had already
10 been on the air.

11 Q Okay. At 6:15?

12 A Yes, 6:15 to 6:30, Sinclair just plays music,
13 religious music for the 15 minutes. Then 6:30 to 7:29 --

14 Q How long is Sinclair there then? He's there from?

15 A From 2:00 until 8:59.

16 Q Okay. So then after 6:30?

17 A From 6:30 to 7:29, St. Peter's Anglican Church.
18 That is a taped program of their service that morning, so he
19 just puts a tape in. The same with St. John's. A lot of
20 the churches that are hourly, they bring the tapes right
21 after the service.

22 Q Is that \$100 an hour?

23 A \$100 an hour.

24 Q How long have they been doing the programming?

25 A From day one.

1 Q From 7:30 on?

2 A From 7:30 to 7:59, we have Evangelist Hewitt, H-E-
3 W-I-T-T. I can't recall his first name. It just slipped
4 me.

5 Q How long has he been --

6 A He has been there for approximately about two
7 years and 11 months because I think that's when it starts
8 the third year.

9 Q Okay. Who brought him on?

10 A At that time, I did.

11 Q Okay.

12 A I personally donated that time to him.

13 Q **So** he does not pay currently?

14 A He does not pay for that, right.

15 Q Okay. After 8:00 p.m.?

16 A Okay. From 8:00 p.m. to 8:59, Friedens Feld, F-R-
17 I-E-D-E-N-S F-E-L-D.

18 Q Okay.

19 A Friedens Feld Moravian Church. Also known as
20 Midland Moravian Church. They are on for one hour and they
21 pay \$100 and that's Reverend Vessup. They've been with us
22 before I got there. Maybe about five years, six years.
23 They've been with us a while.

24 Q Okay. At 9:00?

25 A At 9:00, my father comes on, 9:00 to 11:59. Then

1 we have religious music.

2 Q Okay.

3 A During the hurricane season, he invites different
4 pastors to either come up **or** call him and they say a prayer
5 and pray against the hurricane. During the hurricane
6 season, all the churches hold religious services to pray
7 against hurricanes. From the time we've been there, we've
8 always had a segment where we permit the pastors to come up
9 and they can also pray. That time, we have donated. Now
10 that the hurricane season is over, we just play religious
11 music.

12 There's a pastor who lives in New York and he's
13 originally from St. Croix, U.S. Virgin Islands, by the name
14 of Pastor Victor Truitt, who was previously **a** jockey, one of
15 the jockeys for my father and my uncle for the race horses.
16 Whenever he's at home visiting, he comes up and he does a
17 half-an-hour program from 11:30 until **11:59**. He pays **\$50**
18 for that but that's only when he's visiting he would come up
19 and do that.

20 Q When you said he was a jockey, I thought you meant
21 a disk jockey.

22 A No, no, no.

23 Q But you mean that he was actually a horseman?

24 A Yes.

25 Q Okay. Do you have race horses?

1 A My father and my uncle had race horses and my
2 brother still has. It's in the blood.

3 Q Sounds fun. Okay. Is your father ever there
4 during the day prior to his 9:00 show on Sundays?

5 A No. Now there are times when -- if someone meets
6 him when he's coming from church and they give him a tape,
7 he'll take it of course and, you know, drop it up to the
8 station, but not that he's there to oversee anything or to
9 run anything or do anything. He just goes up and he drops
10 it off and he comes home.

11 Q Are you there during the day on Saturday and
12 Sunday, or Saturday or Sunday?

13 A I'm there seven days a week at least 18 hours a
14 day. When I'm not there, I'm at home.

15 Q Okay. You had identified a staff meeting that you
16 held last Friday. Would that be Friday the 10th of
17 February?

18 A Yes, it would be.

19 Q Can you tell me when did you schedule that staff
20 meeting?

21 A That meeting was scheduled from last month from
22 December. It was originally scheduled for Monday, December
23 23rd, but then I wasn't able to get everyone. Most of them
24 said that they would be unable to attend. So because of
25 that, I rescheduled. Although I rescheduled and gave them

1 sufficient notice, I only had approximately nine persons
2 there.

3 Q You had nine persons there on the loth?

4 A Yes.

5 Q Who were they?

6 A Sinclair Williams, Al Clark, Arthur Byrd, Lincoln
7 Drew.

8 Q I'm sorry. Could you remind me who Lincoln Drew
9 is?

10 A Midas.

11 Q Midas. Okay. Thank you.

12 A Sinclair always says Sinclair N. Williams, middle
13 initial

14 Q Okay.

15 A So I gave you four names?

16 Q Right.

17 A I gave you four names. Did I give you Al Clark?

18 Q Yes, you did.

19 A Abdul Ali, Bolo. Gonzalo Rivera came. My cousin,
20 Neville James, was there but he had to leave early. There
21 was eight. Yes, that's it.

22 Q Okay, and yourself?

23 A I was there.

24 Q Your father was not there?

25 A No.

1 Q Was your brother there?

2 A No.

3 Q Okay. Where was the meeting held?

4 A At the radio station.

5 Q What was the purpose of the meeting?

6 A The purpose of the meeting was to remind them of
7 the rules and regulations, to try to explain to them that I
8 am setting up a logging system in the control room because
9 we have a problem like I mentioned before. A lot of people
10 at WSTX feel they can just walk right in and go on the air
11 and say what they have to say and I told them: It doesn't
12 work that way.

13 It's the announcer's responsibility to make sure
14 that if something is not on the daily log, it doesn't go on.
15 Many of them have not been following that. **So**, over the
16 Christmas holidays, this sort of slacked up. If someone
17 called up that wanted to say something, you know, they want
18 **to** put them on. So I told them: When it's music that's
19 supposed to be playing, I want **to** hear music. Anyone who
20 does not play music and I hear talk, thank you for your
21 services, down the hill.

22 I also told them during the Christmas holidays
23 where we have subs and celebrate our festival, there's a lot
24 **of** partying and everything. And a lot of groups bring in
25 people from other islands, or performers from the states. I

1 have a standing rule that, if you don't advertise with me,
2 you can't bring your performers up to get free air time to
3 talk about the show and everything.

4 That is something that a lot of people feel that
5 they can just walk up there. I told them: I operate by the
6 same standards as the other radio stations. You can't walk
7 in and just want to go on the air and discuss your upcoming
8 program. You advertise with me. That's what I'm there for.
9 If you advertise with me, I give them maybe when the
10 performers come -- many times they like to get them on the
11 air. It's a thing in the islands where people love to hear
12 themselves on the radio. I don't know why. I'm not one of
13 those people. Put a microphone in front of them and they
14 will just --

15 Whenever they have these shows, they bring the
16 performers up and, of course, it has to be scheduled. I
17 don't want any unannounced visits. Now in the event that
18 there is a emergency maybe the police department, whether
19 it's VITEMA or some government agency, has to come up for
20 the sake of disseminating information, I don't have a
21 problem with that. But I explained to them that I could get
22 a log. All of this work, I did on my computer over the past
23 two weeks. I told them: When I come back, I want them to
24 follow the instructions. Anything that comes up like that,
25 I want it logged in because I need to know who's coming in

1 and who's going out.

2 Q So this is a new system? This isn't the system
3 that was in place before the staff meeting?

4 A No, no, no. I had started this before.

5 Q But they weren't following it?

6 A It seemed as though they needed a little
7 reenforcement because I don't know what it is. These guys
8 are afraid to tell people no. I'm not afraid to tell
9 someone no. If it's no, it's no. I told them and I
10 explained to them and I said it one-on-one face-to-face: I
11 am holding you responsible. If I hear something that's not
12 on the daily log and advertisements for something that's not
13 on the log, I'm taking it out of your check and you can take
14 me to the Labor Department. I was very blunt with them.

15 Q Had you communicated these policies to them --
16 (Multiple voices.)

17 A Well, these are things --

18 Q -- prior to the meeting?

19 A -- these are things that I told them. I want to
20 make sure they follow these rules and regulations. The
21 purpose of the meeting was just to simply reenforce it.

22 Q Have you had a staff meeting such as this one
23 before January 10th? Have you had one in the past months or
24 years?

25 A Yes. Usually, I speak to them one-on-one, so the

1 information that I give them will be the same information
2 that I would give them in a staff meeting. If there's
3 anything that's of vital importance, then I'll call a staff
4 meeting. I think I had last year maybe one or two. But I
5 deal with them when they are working. I go up there and I
6 sit there and I discuss with them while they play music.
7 Because many times when you have a staff meeting, I don't
8 know what it is with these men. They're afraid to say
9 certain things in front of everyone.

10 So if I sit with them one-on-one, they open up
11 more than they would. Sometimes I've held staff meetings
12 and they say nothing. I usually tell them: If I don't hear
13 it now, I don't want to hear it in a bar and I don't want to
14 hear it when you're getting in little clicks. If you don't
15 discuss it here, discussing it out there isn't going to
16 change anything that happens here.

17 Q Okay. Did you have a staff meeting in 2001 when
18 **you** got the title of President?

19 A When I got back to St. Croix, I left up here, yes,
20 I did.

21 Q Okay. When you left up here, you mean May 2001
22 when --

23 (multiple voices)

24 A In May and June, I had a staff meeting. In
25 September when I came back up and then when I went back down

1 and that was for the purpose of explaining what was
2 happening up here. Because there were a lot of rumors and a
3 lot of people were calling the employees telling them hell
4 and the devil was happening. They are going to be --

5 Q Who was calling?

6 A There's one gentleman that's in Florida, who his
7 name is Raphael Encarnacion. He was calling telling them:
8 I'm on my way to D.C. to the hearing and, you know, I'm
9 going to buy the station. You'll be working for me and tell
10 such-and-such a person I don't want them to work for me.
11 They have to go. I have some employees that --

12 Q Do you know this gentleman? Is this someone who -
13 -

14 A I know him, yes.

15 Q Where do you know him?

16 A He's from St. Croix originally.

17 Q Does he have a radio station --

18 A Personally, he's a very shady character if you ask
19 me. That's my personal opinion. I've dealt with him.

20 Q In what way did you find him to be shady, when you
21 dealt with him?

22 A After one of the hurricanes, he called and he
23 said, well, you know, he used to work at WSTX years ago. I
24 think it was in the '60s. He said: I want to help. Anything
25 happen?

1 I said: Well, we lost a tower. I think this was
2 after Marilyn.

3 Well, I'm coming to St. Croix. I'm working with a
4 station here. We have a lot of extra equipment and we will
5 donate the equipment because WSTX is so close to my heart
6 and all this malarkey. Anyhow --

7 Q Remind me when Marilyn was?

8 A 1995.

9 Q 1995. He called you in 1995 --

10 A September 1995.

11 Q -- and you spoke with him?

12 A Yes, he called.

13 Q Has he called you at your home?

14 A He had called originally to speak to my father.
15 My father wasn't at home, so --

16 Q Okay.

17 A He called himself giving me the message to give
18 him. Fine, I've been a secretary many times. I took the
19 information and I said: Okay.

20 So he said: Well, what are you going to do?

21 I said: Well, when are you coming to St. Croix? I
22 mean we could sit down.

23 He did come to St. Croix to visit, to check on his
24 family and to make sure everything was fine and then he went
25 back to Florida. When he went back to Florida, he called

1 and he said: Well, let me know what equipment you want
2 because we have a lot of stuff in storage. We're not using
3 old stuff and, you know, instead of just letting it sit
4 there, I spoke to the owner of the station here. We will
5 donate it and all of this.

6 I said: Well, fine. Well, we've had FEMA on the
7 station now free for a half an hour every day disseminating
8 information to the people of the Virgin Islands and not just
9 St. Croix. They discussed the possibility of assisting us
10 with our antenna.

11 So right away when I said that, he said: Okay.
12 Let me get back to you. So I knew something shady was
13 coming up. The next night, he called me up and said: How
14 much money is FEMA giving you?

15 I said: I have no idea. Why? He said: Whatever
16 they are willing to give you, you can pay me that money and
17 you can have the equipment I have. I said: No, thank you.
18 If I'm going to use that money, then I'm buying new
19 equipment. I'm not paying you that same money for your used
20 equipment. It makes no sense.

21 So, naturally, I was the bad guy. Well, let me
22 talk to your father. I said: I'm sorry. You've already
23 spoken to me and that's it.

24 Since that time, I'm the bad person but I told
25 him: I'll deal with you openly and honestly. I don't like

1 when people try to give me a six for a nine. If you're
2 willing to work with me and help me, fine. I'm not going to
3 take advantage of you but at least we can meet halfway. I'm
4 willing to sit down and discuss anything you have to
5 discuss. Help is help. Open, honest help is help but don't
6 try to pull something over on me and make me look like I'm
7 the bad guy. So, naturally, I was the bad guy in his eyes.

8 So while I was up here, he sees the opportunity to
9 try and make me look bad in the eyes of my employees. So
10 when I went down there, I set the record straight although I
11 had some employees who were believing what he said and I
12 called my employees on a daily basis on this same cellphone.

13 Q This was in 2001 when you were here for your
14 deposition?

15 (Multiple voices.)

16 A In 2001. I spent the entire summer of 2001 here.

17 Q Okay.

18 A I called on a daily basis and I spoke to Al Clark
19 and I told him: Well, you know, what was happening. We're
20 working on motions and we're doing this because I believe in
21 letting them know up front. You hear it from me because I
22 know how the rumor mill is in the islands. Trust me, you
23 don't even want to get involved with that. I told him, I
24 said: Things are going this way: A, B, C.

25 When I got back and I had my first staff meeting -

1 - and in speaking to different employees --

2 Q When was that again?

3 A That was when I went back in June.

4 Q Back in June?

5 A Before I left in May, I held a meeting.

6 Q Okay.

7 A When I got back at the end of August, I held -- I
8 think it was August and I held another meeting. I came back
9 up in September. When I went back at the end **of** September,
10 I held a staff meeting. At each point, I explained to them
11 what was happening up here. I explained to them that I had
12 a deposition and, you know, this is a procedure and so and
13 so and all of this.

14 Q Now who attended those three meetings that you
15 had?

16 A All of the employees. All of the employees were
17 there.

18 Q The same people you identified in --
19 (Multiple voices.)

20 A Yes. Alvin G was there at the time, yes.

21 Q Alvin G?

22 A Yes. He was there at the time. His correct name
23 is Alvin and his middle initial is G. Southwell is his last
24 name, S-O-U-T-H-W-E-L-L.

25 Q Okay. Was anyone invited to the meeting in

1 January, or to these other meetings you have identified in
2 2001, that did not attend?

3 A The meeting in September, Alvin G chose not to
4 attend because he said it's the same old BS.

5 Q Okay.

6 A Although that's second-hand information. He
7 didn't say that to my face.

8 Q Who did he say that to?

9 A Some of the employees said they heard him but, you
10 know, they didn't want to have anything to do with it
11 because I was ready to confront him because I don't believe
12 in insubordination.

13 Q Did you confront him?

14 A I asked him about it and he said he doesn't recall
15 saying anything like that. He told me that he didn't
16 remember saying anything. He just said, you know, the
17 meeting was at a bad time. I said: Well, I was right here.
18 You could have said something to me instead of getting in
19 your car after you got off the news and went down the hill.

20 So, you know, we discussed it and everything was
21 settled, no problem.

22 Q Then a month --

23 (Multiple voices.)

24 A Well, yes, about the end of the month that's when
25 he and my father had the disagreement and then parting of

1 the ways

2 Q Right. You weren't at the station on that day in
3 October?

4 A No, I wasn't.

5 Q Why weren't you at the station on that day?

6 A I had gone to pick my children up from school.

7 Q You had been at the station --

8 (Multiple voices.)

9 A I was in the station --

10 Q -- earlier that day?

11 A -- earlier that morning. Then I had gone home and
12 then I went to pick the children up from school.

13 Q Okay. Any other staff meetings that you can
14 identify for me other than those in 2001 and the one in
15 January of this year that we just talked about?

16 A I had either one or two last year.

17 Q In 2002?

18 A Yes. That was just because most of the meetings
19 that I have I meet with them but all **of** the on-air
20 personalities, the DJs, I'll meet with all of the talk show
21 hosts and we just go over little things like scheduling and
22 make sure they're following the rules and regulations. I've
23 never really had any major problem with them not following.
24 The only problem we've had is with them walking out of the
25 studio with CDs and things that we need to play on the air.

1 They choose to go with it sometimes. But that's minor
2 compared to any problem that I could have with them.

3 Q Okay. Do you have a written business plan for the
4 radio station?

5 A I have a timetable that I have set up for myself.

6 Q By that, you mean a schedule?

7 A Yes.

8 Q Okay. You had mentioned that you discussed with
9 your staff at the meeting that you had last week that you
10 wanted to tighten things up and change the programming. I
11 wanted to get some more information from you on what your
12 plan was with respect to those changes.

13 A Well, what I planned to do is to eventually
14 automate a portion of the programming because it doesn't
15 make sense to have a body physically there when I don't
16 really need to have someone there.

17 Q Who would that eliminate? What kind of role would
18 that eliminate?

19 A Well, this would work for the overnight program,
20 the overnight portion, thus far. But I'm trying --

21 Q What's your timetable for that change?

22 A Well, hopefully, I want to move everything
23 gradually and I guess by the end of next month. Because I
24 had originally decided by February, I wanted to start making
25 the changes gradually instead of just a drastic change.

1 Then I also have purchased two computers. I have Wave Cart
2 and Cool Edit that I've purchased to do the advertisements,
3 to do the spots.

4 When I get back to St. Croix, those are going to
5 be installed. I also mentioned that at the staff meeting
6 and I told them that what I would do is set up a little
7 tutorial session with them, so that they can get the hang of
8 the program.

9 Some of them, not some of them, Gonzalo Rivera,
10 he's familiar with that program. He has volunteered to sit
11 with some of the employees when he's -- he has a full-time
12 job with the government, so the talk show is just a little
13 side thing. He has offered his services to sit there and go
14 over the computer with them and the use of the program for
15 the advertisements.

16 So all of these things, you know, I'm trying to
17 work into. Once I have that installed within the next week
18 or two, which they're sitting at home now in the living room
19 the two computers. I have those installed and I get the
20 program installed and everything, then we'll start with
21 that. Then I'll have no need for the cart decks that we're
22 currently using but I'll hold onto the cart decks for the
23 back-up.

24 Q When did you get these computers that you have
25 waiting at home?

1 (Multiple voices.)

2 A I got those computers October. I've had them
3 almost a year and a half --

4 Q Almost a year --

5 A -- or two years, yes.

6 Q Why have you not --

7 A I got the program -- well, we were having problems
8 with the electrical system. One evening, I was scheduled to
9 have them installed on a Saturday. The person that was
10 going to install them had an emergency off the island. That
11 following Monday evening, there was an electrical problem
12 with the local Water Power Authority.

13 Q This would have been when approximately?

14 A About a year ago or a year-and-a-half.

15 Q So early 2002?

16 A 2002, 2001-2002. It caused me to believe that,
17 you know, every disappointment is for the good because I was
18 ready to just move right in and get these things done and I
19 was a little disappointed when I had to change the date.
20 That Monday there was a power outage and the electricity
21 went off island-wide. Then when it came back, I had outlets
22 at the station that were smoking. That caused a problem and
23 I said: Well, everything, you know, I ended up having to get
24 an electrician to come. I had surge protectors that were
25 also smoking. I went and changed both plugs, changed

1 things. In pushing one, a spark came and threw me back on
2 the floor.

3 Q Okay.

4 A I mean the things that I've gone through with that
5 station, boy, I could write a book. But when I saw that
6 problem with the electricity, I said: Instead of putting the
7 two computers in here and having to lose two brand new
8 computers, let me take my time. Rome was not built in a
9 day. If I'm going to do it, I'm going to do it right.

10 So I got the services of an electrician. I had
11 him come up and check the entire building. I spent \$2,500
12 just to rewire a lot of the building. Once that was done, I
13 waited a while.

14 I then had a problem with the transformer again
15 outside and the Water Power Authority had to come. They've
16 had to replace it twice because it was sending low voltage
17 to the building instead of the proper voltage. We've since
18 gotten that rectified. I was giving it a little chance to
19 see if anything else comes up because when I least suspect
20 it things start happening. Everything with the electrical
21 problem has been going along fine now.

22 Q Okay. The new computers, who purchased them?

23 A I did.

24 Q You personally?

25 A Yes.

1 Q Did you get the money from your parents for that?

2 (Multiple voices.)

3 A I got them on a trade agreement with Advanced
4 Office Supply.

5 Q What do you mean by a trade agreement?

6 A I gave them advertisement in exchange for the
7 computers.

8 Q How much advertisement did they get for that?

9 A The computers cost approximately \$2,200, two
10 Gateway computers.

11 Q So \$2,200 --

12 A Approximately that.

13 Q -- for how much advertising?

14 A I gave them -- they wanted Community Digest and
15 they wanted the news and some of the talk shows. I was able
16 to spread it over the year.

17 Q So they got a year's worth of advertising?

18 A Approximately a year.

19 Q About how often? Once a week or five times a week
20 or just --

21 A No. They got advertisements approximately three
22 times per day.

23 Q Okay. They were what?

24 A Because of the programs --

25 Q Were they 30-second segments?

1 A They were 30-second spots.

2 Q The electrical work that needed to be done that
3 you described, the \$2,500 for rewiring and twice at least
4 replacing transformers, who paid for those expenses for the
5 radio station?

6 A Well, after expenses for payroll and everything
7 whatever funds were left, I got some from that and then also
8 my mother gave me some of the money.

9 Q Do you remember about how much your mother donated
10 for this purpose?

11 A I don't remember off-hand but it's probably on the
12 receipt because it was approximately -- that's the total
13 that I gave you but it was on two different occasions. He
14 had to come back and do some electrical work.

15 Q Okay. Over the last two years, has the radio
16 station made enough revenue to cover its costs?

17 A Over the past two years?

18 Q Two years? We're sitting here today in January
19 2003, so two years **is** January 2001?

20 A There were some months when it did; there were
21 some months when it didn't. Especially around 9/11,
22 everything seemed to just take a nose dive. But since that
23 time, over the past couple of months, things have started
24 picking up again.

25 Q The last few months --

1 A Yes.

2 Q -- refers to how many months?

3 A Well, especially with the election. That is
4 always a good time when we can make --

5 Q Would that have been --

6 (Multiplevoices.)

7 A But this past election --

8 Q -- is that the same schedule as we have here in
9 November?

10 A Yes.

11 Q Okay.

12 A But this has been the leanest election year that I
13 have seen because a lot of the politicians waited until the
14 last month, which was October to really spend money. But I
15 would say September, October and November were pretty good.
16 December was sort **of** slow. It covered itself but it wasn't,
17 you know, what we're --

18 (Multiplevoices.)

19 Q -- that you identified covered themselves?

20 A Yes. December did, too, but December was not what
21 December usually is. You know, what I know it can do,
22 because that is when we have all over festival and there's a
23 lot more advertising. But I notice in the past year or
24 year-and-a-half, and I've heard other people complain about
25 the same problem, that advertisements have been down.

1 People are more seasonal advertisers as opposed to just
2 advertising over the year annually like they were accustomed
3 to.

4 Q Which would be your highest paying month in terms
5 of advertising revenue, if it's seasonal?

6 A Since it's seasonal, maybe the winter months may
7 be the best but then that changes. There's sometimes when
8 the summer months are great. But it's not something that
9 you can easily call and say: Well, this month is going to be
10 the best or these months are the best. It's difficult.

11 Q What would be the range over the last two years on
12 a monthly basis of advertising revenue, say from the low to
13 the high for?

14 A Over the past two years, a low would be -- I'm
15 just estimating now. I have figures down on paper but I
16 didn't want to use. There have been instances when it has
17 been as low as maybe \$10,000.

18 Q What about the high?

19 A I would say maybe \$8,000 or \$10,000 and that's
20 low.

21 Q Okay.

22 A A high would be -- I'm trying to think. That
23 would have been around election time. I guess a high would
24 be maybe, and this is post-9/11, a high would have been like
25 maybe \$16,000 or \$18,000, if that much.

1 Q On the other hand, what would the expenses be in
2 an average month?

3 A With electricity, payroll -- the electricity
4 ranges anywhere from \$500 a month, or \$800 a month to
5 \$1,500. It fluctuates because we have a lot of electrical
6 problems down there. It's now getting to be sort of
7 constant but monthly expenses could range anywhere from
8 \$12,000. That's just a guess because I have the figures on
9 paper and I have to see them. But I guess, including
10 payroll, it could be as much as \$12,000.

11 Q In the months where the --
12 (Multiple voices.)

13 A \$12,000.

14 Q -- revenues aren't covering the expenses, where
15 does the difference come from?

16 A Well, my mother contributes her retirement check.

17 Q Which is approximately how much?

18 A She usually saves them and sometimes she may give
19 \$3,000 out of her retirement check. Whatever is needed just
20 to bring everything up. There have been times when my
21 father has even contributed his checks.

22 Q When would those times have occurred?

23 A Whenever there was anything that was needed.
24 Sometimes he would take one of his checks whether it is to
25 pay the electrical bill or, you know, in the event that I

1 didn't have enough, he has done that before.

2 Q Since you became President of the company that is
3 what we're referring to?

4 A Well, since I am there, my mother has, you know,
5 assisted if I needed the assistance. She did tell me that,
6 you know, if I need any help, she's there to help. But I
7 don't intend for them to be putting in their retirement
8 checks. That's why I want to be able to make the changes
9 that I have envisioned because the station has to carry
10 itself.

11 Q Okay. But just focusing on this time period since
12 you've been President in 2001 going forward have there been
13 instances where your mother has contributed money too?

14 A Yes.

15 Q How many times has that occurred?

16 A That I can recall offhand, maybe approximately
17 four times, four or five.

18 Q Do you remember how much was required? You said
19 up to \$3,000. Was it \$3,000 in each of the four or five
20 instances?

21 A No. There have been times when it may be \$1,000
22 or it may be \$500. It depended.

23 Q Okay. Have there been instances, during that same
24 period of time, when your father has contributed money from
25 his retirement checks?

1 A I know he has paid -- whether it was an electrical
2 bill or a telephone bill.

3 Q Do you remember how many times that occurred that
4 he contributed money for a bill?

5 A No. He just gave me the paid receipt. I remember
6 that but I don't recall how many times.

7 Q He did this and he paid it without you asking him
8 and --

9 A Yes.

10 Q -- he then gave you the bill?

11 A He gave me the receipt.

12 Q The receipt **of** the paid bill?

13 A Yes.

14 Q That happened more than one time?

15 A Yes. It has happened more than once.

16 Q Do you remember an estimate of the amount that he
17 would have contributed on any of those instances?

18 A They vary. Some of the bills could be as little
19 as \$500 or \$400 something dollars, or as much as maybe \$700
20 or \$800 that I can recall. I don't remember exact figures.

21 Q Okay. Did this happen, I don't know, as many as a
22 dozen times?

23 MR. COLBY: You're asking since she became
24 President?

25 MS. DeNIGRO: Correct.

1 MR. COLBY: I don't think she understood that.

2 MS. DeNIGRO: Well, I pointed it out a couple of
3 times, so I tried to make that clear.

4 THE WITNESS: I don't think it's been that often.
5 I don't think it's been that many times.

6 BY MS. DeNIGRO:

7 Q Half that many?

8 A Half or one fourth that I can recall.

9 Q Okay.

10 A But I will have to look at receipts because I know
11 what he gave me.

12 Q You said that your mother had told you that she
13 would contribute money from her retirement checks. Is there
14 a written document that reflects those intentions?

15 (Multiple voices.)

16 A No. This was just verbally.

17 Q Okay.

18 A She has done that.

19 Q What kind of debt does Family Broadcasting have
20 currently?

21 A Well, at the current time, I'm still trying to
22 find all of the paperwork so that I can have a figure. At
23 the present time, I honestly do not have a figure but I'm
24 trying to get -- I am meeting with the accountant when I get
25 back to St. Croix. Hopefully, by the end of next month, I

1 would have an idea what it is because he's scheduled to work
2 on all of the taxes and bring everything up to date. I'll
3 have an idea of what it is then.

4 Q Who is the accountant currently?

5 A His name is Francisco Depusoir.

6 Q Okay. He's worked with the company for how long?

7 A Well, I know he did work for my father previously.
8 Prior to him, there was a gentleman by the name of Gordon.
9 I don't recall his first name but he was also an accountant
10 and I know he did some work for the station. This is
11 initially maybe up until about '95 or '96, if that long.

12 Q Have you worked with Mr. Depusoir before?

13 A Yes, I have.

14 Q In what circumstances?

15 A He worked with helping me put the financial
16 statement together. We worked in '98 and '99. We put some
17 documents together and I gave him, you know, whatever
18 information he requested.

19 Q This was a financial statement for Family
20 Broadcasting?

21 A Yes.

22 Q Do you know if he ever finished preparing the
23 financial statement for '98 or '99?

24 A I know he did. We had to have statements prepared
25 and documents filed with the Lieutenant Governor's office

1 for the corporation and those are the papers that he worked
2 on.

3 Q So these were filings --

4 (Multiple voices.)

5 A Those are current.

6 Q The filings with --

7 A I personally -- yes, everything with the
8 Lieutenant Governor's office, I personally worked with him
9 on and then my brother was able to take the documents and
10 have them filed.

11 Q When was this?

12 A This was last year, 2002

13 Q So, in 2002, you were going back and doing the
14 statements for '98 and '99?

15 A Yes. **All** along, I've been going and trying to
16 find documentation and get a lot of the paperwork together
17 that had not previously been completed.

18 Q When you say financial statements, I'm not sure if
19 we're using the same term of art for financial statement.
20 Is that something that would reflect all of the income for
21 the radio station for the year, all of the expenses and --

22 A Yes.

23 Q Wouldn't the financial statement then also require
24 a figure for the debt for the company and the debt service?

25 A Yes. But I don't recall -- I have all of those

1 papers that were filed.

2 Q Could we get copies of those papers as well?

3 (Multiple voices.)

4 A Yes.

5 Q I don't believe that --

6 A I can send those.

7 Q -- we have copies of those papers.

8 A I don't know if you have. I don't think you have
9 copies of those. I have those. I will --

10 Q Yes. If you could send those along that would be
11 great. Do you also have these papers for the year 2000 or
12 2001?

13 A They go up until -- the ones that we have to
14 complete are the final quarter for 2002.

15 Q Okay. **So** they're current up until then?

16 (Multiple voices.)

17 A I think we've done everything up until the third
18 quarter of last year, I think it is. I think it's up
19 until --

20 Q Yes. We'd request all of the papers that you have
21 then, up until that period.

22 A Yes. Whatever the paper is that I have I will.

23 Q Okay.

24 **A Is it okay if I make a note?**

25 Q Yes, absolutely. That would be useful. We had

1 mentioned one other item that you were going to actually
2 send. which I --

3 MR. COLBY: Tax returns.

4 MS. DeNIGRO: Well, actually, we haven't gotten to
5 that yet but that would be my next request.

6 THE WITNESS: Okay.

7 BY MS. DeNIGRO:

8 Q You had talked about in July '98 that you had
9 gotten your father to sign a writing saying that you would
10 have certain authorities as General Manager on coming back
11 to the station and you were going to look for that **to** send
12 us as well.

13 A Yes.

14 MR. COLBY: The P&Ls are for 2002?

15 THE WITNESS: Yes.

16 MR. COLBY: Or for 2001?

17 THE WITNESS: I think we had up until the third
18 quarter of 2002.

19 MR. COLBY: So complete for 2001 and three
20 quarters for 2002?

21 THE WITNESS: Yes.

22 MR. COLBY: Complete P&L for 2001.

23 BY MS. DeNIGRO:

24 Q Okay. The next thing that we'd asked about **are**,
25 as your attorney was indicating, tax returns. I think the

1 only tax returns that we've gotten copies of were for '96
2 and '97. Do you have any tax returns for prior periods?

3 (Multiple voices.)

4 A I think I have for '98. Because since I was here,
5 I've spent a whole year just trying to find all of these
6 documents in my father's office.

7 Q In your father's office? You're referring to his
8 office where?

9 A His law office.

10 Q His law office?

11 A Yes. Because he kept some of the documents there.
12 His filing system needs a lot to be desired. It has been
13 very difficult trying to find a lot of documents that I know
14 exists but the problem is finding them.

15 Q Okay.

16 A I have tried and Mr. Gordon has moved to -- who
17 was the --

18 Q The accountant you referred to previously?

19 A -- previous accountant. I was present in my
20 father's office and I recall him doing -- he was the one
21 that initially did the tax returns for Family Broadcasting.

22 Now a lot of those documents had gotten wet and
23 have been destroyed but I know that he should have copies of
24 those. The one lady that was my father's secretary is now
25 working with him. I am going to check with her and see what

1 they -- I had asked her previously but then she told me she
2 didn't find anything. But I don't know if she's come up --

3 Q Okay.

4 A I haven't spoken to her in a couple of months, so
5 I don't know if she came and if she found anything since
6 then. But whatever Mr. Depusoir has that will be no problem
7 to get.

8 Q Okay. Have you identified the sources of debt for
9 Family Broadcasting, if you aren't certain what perhaps the
10 amount is? Do you know what the sources of debt is? Who
11 the company owes money to?

12 A All I know is about the regular monthly expenses
13 but what I'm trying to determine **is** what is outstanding,
14 what we had prior to my involvement.

15 Q Right. For instance --

16 (Multiple voices.)

17 A That is what is --

18 Q -- a loan from a bank, or any sort **of** loan from a
19 shareholder, or any sort of debt secured by property --

20 A See, a lot of those things, you know, my father
21 never said anything.

22 Q Okay. So you don't know what those debts are?

23 A That's why I don't know. That's why I've been
24 trying to determine, trying to find paperwork, trying to
25 find anything that would at least give me a figure. Because

1 I don't really like operating blind not knowing what it is.
2 I will be of the impression it's one thing and then here
3 someone comes up and says: Well, you owe me this.

4 Q Has that occurred in the last year?

5 A No.

6 Q Okay. Have you paid any debt service? Have you
7 made any payments to anyone, who represents that Family
8 Broadcasting owes them money other than the items --

9 (Multiple voices.)

10 A Not that I --

11 Q -- for electricity and utility bills. That sort
12 of thing?

13 A No. The only thing that I have done is there was
14 a lady who said she had purchased some shares. I asked her
15 to just give me the shares. We haven't made any money to
16 the best of my knowledge. What I did is I personally
17 purchased a bank money order and I reimbursed her money.

18 Q I think you gave us copies of that.

19 (Multiple voices.)

20 A Yes. I think that's --

21 Q Her name is Catherine Henry.

22 A Catherine Henry. She's the only person who has
23 ever --

24 Q Okay.

25 A -- you know, said anything.